

REMARKS

The non-Final Office Action issued 06 January 2004 has been reviewed and the comments of the U.S. Patent and Trademark Office have been considered. Claims 8, 9, 15, 16, and 18 have been amended. Accordingly, applicants respectfully request reconsideration of claims 1-11 and 14-18.

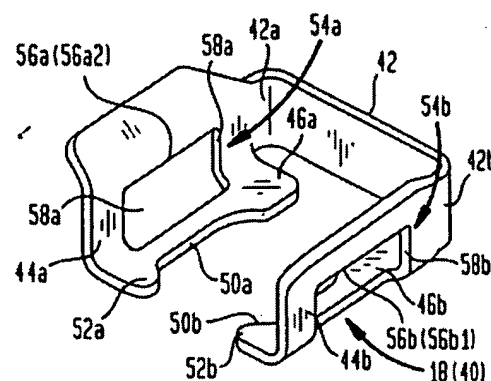
Applicants thank the Examiner for indicating that claims 1-7, 11, and 14 have been allowed.

Claims 8, 9, 15, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,040,512 to Twilton in view of Bassler. Claims 10, 17, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Twilton and Bassler and further in view of Harrell.

Insofar as the rejections are applicable to amended claims 8 and 15, applicants respectfully traverse the rejections because Twilton, Bassler, and Harrell, whether considered alone or in combination thereof, fail to teach or suggest the claimed invention as a whole.

Each of the independent claims 8 and 15 has been amended to recite a fastener that includes, *inter alia*, a wall and a pair of legs projecting from the wall. The pair of legs straddles both the fuel injector cup and fuel injector. The leg includes a tab extending generally orthogonal to the leg. The leg defines a window that has at least one landing edge contiguous to the tab. Support for this amendment to claims 8 and 15 is provided in the originally filed application at, for example, page 7, and in Figure 2 (reproduced at right).

Twilton in view of Bassler fails to teach or suggest the feature of a leg of a clip having a window with at least one landing edge of the window contiguous to a tab. In particular, Twilton shows and describes a clip 21 with side plates 22, 23 that are each provided with a slot 28 (col. 2: 43-61). The side plates 22 and 23 are each provided with respective ears 25 that extend orthogonal to the side plates 22 and 23, as shown in Fig. 6 of Twilton. The slot 28, as shown in Figs. 1 and 7 of Twilton, has an edge of the slot 28 spaced apart from the ear 25 instead of the edge of the slot being contiguous to the ear 25, as recited in

FIG. 2

the claimed invention as a whole. Similarly, Bassler shows and describes a clip 17 with spring legs 18 and 19 that are each provided with respective rectangular openings 25 and 26 (col. 2: 62-68 and col. 3: 4-7). The legs 18 and 19 are each provided with tabs 21 and 22, as shown in Fig. 5 of Bassler. Each of the rectangular openings 25 and 26 has an edge, as shown by the dashed-lines in Fig. 4, spaced apart from the respective tabs 21 and 22 instead of the edge of each of the rectangular openings 25 and 26 being contiguous to the respective tabs 21 and 22. Because Twilton and Bassler fail to show or describe the claimed feature of a window's landing edge contiguous to a tab, Twilton and Bassler fails to teach or suggest all of the claimed features, as recited in claims 8 and 15. Accordingly, claims 8 and 15 are patentable over Twilton in view of Bassler, whether considered alone or in combination thereof.

Notwithstanding the deficiencies of Twilton in view of Bassler, the Office Action relies upon the teaching of Harrell in combination with Twilton and Bassler to render claims 10, 17, and 18 obvious. Applicants submit that Harrell fails to cure the deficiencies of Twilton in view of Bassler because Harrell shows and describes a mounting bracket 10 that lacks tabs and windows. Thus, the proposed combination of Twilton in view of Bassler and Harrell fails to teach or suggest all of the claimed features. Accordingly, claims 10, 17, and 18 are patentable over Twilton, Bassler and Harrell, whether considered singularly or in combination thereof.

Claims 9, 10, and 16 depend ultimately from respective independent claims 8 and 15, are therefore also allowable because claims 8 and 15 are allowable, as well as for reciting additional features.

CONCLUSION

In view of the foregoing remarks, applicants respectfully request reconsideration and prompt allowance of the pending claims. Applicants respectfully invite the Examiner to contact the undersigned at (202) 739-5203 if there are any outstanding issues that can be resolved via a telephone conference.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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